

1
2 **UNITED STATES DISTRICT COURT**
3 **EASTERN DISTRICT OF WASHINGTON**
4

5 UNITED STATES OF AMERICA,)
6 Plaintiff,)
7 vs.)
8 ROBERT J. THORNTON,)
9 Defendant.)
10 _____)

NO. CV-12-199-JLQ

**JUDGMENT IN A
CIVIL CASE**

11 **DECISION BY THE COURT:**

12 This action came to hearing before the Court. The issues have been heard
13 and a decision has been rendered.

14 **IT IS ORDERED AND ADJUDGED** that:

15 Plaintiff United States of America is awarded judgment against Defendant
16 Defendant Robert J. Thornton in the amount of \$212,728.94 (\$170,483.12
17 principal and \$42,245.82 interest accrued through February 7, 2012), plus interest
18 to accrue at the rate of \$17.6628 per day from and after February 7, 2012, to the
19 date of judgment, plus interest from the date of judgment at the legal rate until
20 paid in full, and for costs of suit, including the filing fee allowed pursuant to 28
21 U.S.C. § 2412(a)(2).

22 The debt upon which this judgment is based is secured and perfected by the
23 following:

24 (1) a real estate mortgage recorded June 25, 1993, under Auditor's File No.
25 804510, Official Records of Okanogan County, Washington;

26 (2) a real estate mortgage recorded January 16, 1998, under Auditor's File

No. 861403, Official Records of Okanogan County, Washington;

(3) a real estate mortgage recorded March 6, 2000, under Auditor's File No. 3019772, Official Records of Okanogan County, Washington;

(4) a real estate mortgage recorded May 7, 2001, under Auditor's File No. 3033781, Official Records of Okanogan County, Washington;

(5) a real estate mortgage recorded May 7, 2001, under Auditor's File No. 3033782, Official Records of Okanogan County, Washington;

(6) security agreements describing farm equipment and livestock, perfected by a financing statement, filed June 8, 1993, as Instrument No. 93-159-0216; a continuation statement filed December 17, 1997, as Instrument No. 97-351-0162; a continuation statement filed April 7, 2003, as Instrument No. 2003-100-0487-7; and a continuation statement filed January 14, 2008, as Instrument No. 2008-014-7984-9, Official Records of Department of Licensing, Olympia, Washington;

The foregoing real estate mortgages and security instruments cover the following described real and personal property and sprinkler equipment appurtenant thereto, situated in Okanogan County, in the State of Washington:

REAL PROPERTY

All of the Northwest quarter of the Southwest quarter, Section 35, Township 39 North, Range 27, E.W.M., Except that portion thereof described as follows:

Beginning at the Southeast corner of the said Northwest quarter of the Southwest quarter;

Thence N. 00 deg. 01'13" E. on the East boundary line of the said subdivision a distance of 1335.51 feet to the Northeast corner thereof;

Thence S. 89 deg. 51'11" W. on the North boundary line of the said subdivision a distance of 535.00 feet;

Thence S. 00 deg. 01'13" W. a distance of 805.79 feet;

Thence S. 89 deg. 54'30" W. a distance of 30.00 feet;

Thence S. 00 deg. 01'13" W. a distance of 529.20 feet to the South boundary line of the said Northwest quarter of the Southwest quarter;

Thence N. 89 deg. 54' 30" E. on the said South boundary line a distance of 565.00 feet to the Southeast corner thereof and the point of beginning.

EXCEPT that portion lying within the rights of way for the State Highway and the Burlington Northern Railway.

All Situated in Okanogan County, Washington State.

1 ALSO, Government Lot 12 of Section 27, Township 39 North, Range 27
2 E.W.M., Okanogan County, Washington.

3 ALSO, Government Lot 6 and that portion of Government Lot 5 lying West
4 of Highway 97 right of way and the South 100 feet of Lot 5 lying East of Highway
5 97 right of way in Section 34, Township 39 North, Range 27 E.W.M., Okanogan
6 County, Washington.

7 FARM EQUIPMENT and LIVESTOCK

8 MF 35 Tractor, S/N 169165

9 45 Mixed Breed Beef cows with calves

10 The real estate mortgages and security instruments constitute first and prior
11 liens upon the real property and farm equipment and livestock described above,
12 and are hereby foreclosed. Defendant Robert J. Thornton and all persons claiming
13 by, through or under them are forever barred and foreclosed from asserting any
14 right, title, or interest in and to said property, except the right of redemption
15 provided by law. Said property is hereby ordered sold in the manner provided by
16 law with the proceeds of such sale to be applied first in payment of Plaintiff's
17 judgment; and second, in payment of costs of this suit, but not including attorney
18 fees.

19 If any deficiency remains after the application of the proceeds of such sale,
20 then execution may issue on any such deficiency against Defendant Robert J.
21 Thornton, and enforced against any property of his not exempt from execution.

22 Any party to this suit may become a purchaser at such sale.

23 DATED this 7th day of January, 2013.

24 SEAN F. McAVOY
25 Clerk of Court

26 by: s/Penny Lamb
Deputy Clerk